

21, 2021, at 11:15 a.m., to conduct a hearing.

#### COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, July 21, 2021, at 2 p.m., to conduct a hearing.

#### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Wednesday, July 21, 2021, at 10 a.m., to conduct a hearing.

#### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Wednesday, July 21, 2021, at 12 p.m., to conduct a hearing on nominations.

#### COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs is authorized to meet during the session of the Senate on Wednesday, July 21, 2021, at 2:30 p.m., to conduct a hearing on nominations.

#### COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, July 21, 2021, at 10 a.m., to conduct a hearing on nominations.

#### SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Wednesday, July 21, 2021, at 3 p.m., to conduct a closed hearing.

### PRIVILEGES OF THE FLOOR

Mr. CASSIDY. Mr. President, I ask unanimous consent that Ashley Roberts, an intern in my office, be granted floor privileges for the remainder of the day.

The PRESIDING OFFICER. Without objection, it is so ordered.

### ENSURING SURVIVOR BENEFITS DURING COVID-19 ACT OF 2021

Ms. SMITH. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 83, S. 89.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 89) to require the Secretary of Veterans Affairs to secure medical opinions for veterans with service-connected disabilities who die from COVID-19 to determine whether their service-connected disabilities were the principal or contributory causes of death, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Veterans' Affairs, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

S. 89

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Ensuring Survivor Benefits during COVID-19 Act of 2021".

#### SEC. 2. MEDICAL OPINIONS FOR CERTAIN VETERANS WITH SERVICE-CONNECTED DISABILITIES WHO DIE OF COVID-19.

(a) *IN GENERAL.*—The Secretary of Veterans Affairs shall secure a medical opinion to determine if a service-connected disability was the principal or contributory cause of death before notifying the survivor of the final decision in any case in which all of the following factors are met:

(1) A claim for compensation is filed under chapter 13 of title 38, United States Code, with respect to a veteran with one or more service-connected disabilities who dies.

(2) The death certificate for the veteran identifies Coronavirus Disease 2019 (COVID-19) as the principal or contributory cause of death.

(3) The death certificate does not clearly identify any of the service-connected disabilities of the veteran as the principal or contributory cause of death.

(4) A service-connected disability of the veteran includes a condition more likely to cause severe illness from COVID-19 as determined by the Centers for Disease Control and Prevention.

(5) The claimant is not entitled to benefits under section 1318 of such title.

(6) The evidence to support the claim does not result in a preliminary finding in favor of the claimant.

(b) *OUTREACH.*—The Secretary shall provide information to veterans, dependents, and veterans service organizations about applying to dependency and indemnity compensation when a veteran dies from COVID-19. The Secretary shall provide such information through the website of the Department of Veterans Affairs and via other outreach mechanisms.

Ms. SMITH. I ask unanimous consent that the committee-reported substitute amendment be agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported amendment, in the nature of a substitute, was agreed to.

The bill (S. 89), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

### VETERANS' COMPENSATION COST-OF-LIVING ADJUSTMENT ACT OF 2021

Ms. SMITH. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 84, S. 189.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 189) to amend title 38, United States Code, to provide for annual cost-of-living adjustments to be made automatically by law each year in the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Veterans' Affairs, with an amendment to strike all after the enacting

clause and insert in lieu thereof the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Veterans' Compensation Cost-of-Living Adjustment Act of 2021".

#### SEC. 2. INCREASE IN RATES OF DISABILITY COMPENSATION AND DEPENDENCY AND INDEMNITY COMPENSATION.

(a) *RATE ADJUSTMENT.*—Effective on December 1, 2021, the Secretary of Veterans Affairs shall increase, in accordance with subsection (c), the dollar amounts in effect on November 30, 2021, for the payment of disability compensation and dependency and indemnity compensation under the provisions specified in subsection (b).

(b) *AMOUNTS TO BE INCREASED.*—The dollar amounts to be increased pursuant to subsection (a) are the following:

(1) *WARTIME DISABILITY COMPENSATION.*—Each of the dollar amounts under section 1114 of title 38, United States Code.

(2) *ADDITIONAL COMPENSATION FOR DEPENDENTS.*—Each of the dollar amounts under section 1115(1) of such title.

(3) *CLOTHING ALLOWANCE.*—The dollar amount under section 1162 of such title.

(4) *DEPENDENCY AND INDEMNITY COMPENSATION TO SURVIVING SPOUSE.*—Each of the dollar amounts under subsections (a) through (d) of section 1311 of such title.

(5) *DEPENDENCY AND INDEMNITY COMPENSATION TO CHILDREN.*—Each of the dollar amounts under sections 1313(a) and 1314 of such title.

(c) *DETERMINATION OF INCREASE.*—Each dollar amount described in subsection (b) shall be increased by the same percentage as the percentage by which benefit amounts payable under title II of the Social Security Act (42 U.S.C. 401 et seq.) are increased effective December 1, 2021, as a result of a determination under section 215(i) of such Act (42 U.S.C. 415(i)).

(d) *SPECIAL RULE.*—The Secretary of Veterans Affairs may adjust administratively, consistent with the increases made under subsection (a), the rates of disability compensation payable to persons under section 10 of Public Law 85-857 (72 Stat. 1263) who have not received compensation under chapter 11 of title 38, United States Code.

#### SEC. 3. PUBLICATION OF ADJUSTED RATES.

The Secretary of Veterans Affairs shall publish in the Federal Register the amounts specified in section 2(b), as increased under that section, not later than the date on which the matters specified in section 215(i)(2)(D) of the Social Security Act (42 U.S.C. 415(i)(2)(D)) are required to be published by reason of a determination made under section 215(i) of such Act during fiscal year 2022.

Ms. SMITH. I ask unanimous consent that the committee-reported substitute amendment be agreed to; that the bill, as amended, be considered read a third time and passed; that the committee-reported amendment to the title be agreed to; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported amendment, in the nature of a substitute, was agreed to.

The bill (S. 189), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

The committee-reported amendment to the title was agreed to as follows:

Amend the title so as to read: "A bill to increase, effective as of December 1, 2021, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for

the survivors of certain disabled veterans, and for other purposes.”.

# HIRE VETERAN HEALTH HEROES ACT OF 2021

Ms. SMITH. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 85, S. 894.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 894) to identify and refer members of the Armed Forces with a health care occupation who are separating from the Armed Forces for potential employment with the Department of Veterans Affairs, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Veterans' Affairs, with an amendment, as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italic.)

S. 894

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. SHORT TITLE.

This Act may be cited as the “Hire Veteran Health Heroes Act of 2021”.

## **SEC. 2. IDENTIFICATION AND REFERRAL OF MEMBERS OF THE ARMED FORCES WITH A HEALTH CARE OCCUPATION FOR POTENTIAL EMPLOYMENT WITH THE DEPARTMENT OF VETERANS AFFAIRS DURING SEPARATION FROM THE ARMED FORCES.**

[(a) IDENTIFICATION.—The Secretary of Veterans Affairs, in consultation with the Secretary of Defense, shall identify members of the Armed Forces in a health care occupation during the separation of such members from the Armed Forces.

[(b) REFERRAL OF INTERESTED INDIVIDUALS.—

[(1) IN GENERAL.—If a member of the Armed Forces identified under subsection (a) expresses an interest in working in a health care occupation within the Department of Veterans Affairs, the Secretary of Veterans Affairs shall refer the member to a recruiter of the Department for consideration of open positions in the specialty and geography of interest of the member.

[(2) TIMING.—Any referral of a member of the Armed Forces conducted under paragraph (1) shall be made not earlier than one year before the separation of the member from the Armed Forces.

[(c) RULE OF CONSTRUCTION.—Any identification of a member of the Armed Forces under subsection (a) or referral of such member under subsection (b) shall not be construed as a guarantee of employment of such member with the Department of Veterans Affairs.

[(d) REPORTS.—Not later than each of one year and two years after the date of the enactment of this Act, the Secretary of Veterans Affairs, in consultation with the Secretary of Defense, shall submit to the appropriate committees of Congress a report on the efficacy of the identification and referral of separating members of the Armed Forces under this section.

[(e) DEFINITIONS.—In this section:

[(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—

[(A) the Committee on Armed Services and the Committee on Veterans' Affairs of the Senate; and

[(B) the Committee on Armed Services and the Committee on Veterans' Affairs of the House of Representatives.

[(2) HEALTH CARE OCCUPATION.—The term “health care occupation” means an occupation for which an individual may be appointed for employment with the Department of Veterans Affairs under section 7401 of title 38, United States Code.]

## **SEC. 2. IDENTIFICATION AND REFERRAL OF MEMBERS OF THE ARMED FORCES WITH A HEALTH CARE OCCUPATION FOR POTENTIAL EMPLOYMENT WITH THE DEPARTMENT OF VETERANS AFFAIRS DURING SEPARATION FROM THE ARMED FORCES.**

*Section 207 of the VA Choice and Quality Employment Act of 2017 (Public Law 115-46; 38 U.S.C. 7401 note) is amended to read as follows:*

## **“SEC. 207. IDENTIFICATION AND REFERRAL OF MEMBERS OF THE ARMED FORCES WITH A HEALTH CARE OCCUPATION FOR POTENTIAL EMPLOYMENT WITH THE DEPARTMENT OF VETERANS AFFAIRS DURING SEPARATION FROM THE ARMED FORCES.**

“(a) IN GENERAL.—The Secretary of Veterans Affairs, in consultation with the Secretary of Defense, shall establish a program to identify and refer members of the Armed Forces with a health care occupation for employment with the Department of Veterans Affairs during the separation of such members from the Armed Forces.

“(b) REFERRAL OF INTERESTED INDIVIDUALS.—

“(1) IN GENERAL.—If a member of the Armed Forces identified under subsection (a) expresses an interest in working in a health care occupation within the Department of Veterans Affairs, the Secretary of Veterans Affairs shall refer the member to a recruiter of the Department for consideration of open positions in the specialty and geography of interest to the member.

“(2) TIMING.—Any referral of a member of the Armed Forces conducted under paragraph (1) shall be made not earlier than one year before the separation of the member from the Armed Forces.

“(c) RULE OF CONSTRUCTION.—Any identification of a member of the Armed Forces under subsection (a) or referral of such member under subsection (b) shall not be construed as a guarantee of employment of such member with the Department of Veterans Affairs.

“(d) REPORTS.—Not later than each of one year and two years after the date of the enactment of the Hire Veteran Health Heroes Act of 2021, the Secretary of Veterans Affairs shall submit to the appropriate committees of Congress a report on the program established under subsection (a).

“(e) DEFINITIONS.—In this section:

“(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ‘appropriate committees of Congress’ means—

“(A) the Committee on Armed Services and the Committee on Veterans' Affairs of the Senate; and

“(B) the Committee on Armed Services and the Committee on Veterans' Affairs of the House of Representatives.

“(2) HEALTH CARE OCCUPATION.—The term ‘health care occupation’ means an occupation for which an individual may be appointed for employment with the Department of Veterans Affairs under section 7401 of title 38, United States Code.”.

Ms. SMITH. I ask unanimous consent that the committee-reported amendment be agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 894), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 894

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. SHORT TITLE.

This Act may be cited as the “Hire Veteran Health Heroes Act of 2021”.

## **SEC. 2. IDENTIFICATION AND REFERRAL OF MEMBERS OF THE ARMED FORCES WITH A HEALTH CARE OCCUPATION FOR POTENTIAL EMPLOYMENT WITH THE DEPARTMENT OF VETERANS AFFAIRS DURING SEPARATION FROM THE ARMED FORCES.**

Section 207 of the VA Choice and Quality Employment Act of 2017 (Public Law 115-46; 38 U.S.C. 7401 note) is amended to read as follows:

## **“SEC. 207. IDENTIFICATION AND REFERRAL OF MEMBERS OF THE ARMED FORCES WITH A HEALTH CARE OCCUPATION FOR POTENTIAL EMPLOYMENT WITH THE DEPARTMENT OF VETERANS AFFAIRS DURING SEPARATION FROM THE ARMED FORCES.**

“(a) IN GENERAL.—The Secretary of Veterans Affairs, in consultation with the Secretary of Defense, shall establish a program to identify and refer members of the Armed Forces with a health care occupation for employment with the Department of Veterans Affairs during the separation of such members from the Armed Forces.

“(b) REFERRAL OF INTERESTED INDIVIDUALS.—

“(1) IN GENERAL.—If a member of the Armed Forces identified under subsection (a) expresses an interest in working in a health care occupation within the Department of Veterans Affairs, the Secretary of Veterans Affairs shall refer the member to a recruiter of the Department for consideration of open positions in the specialty and geography of interest to the member.

“(2) TIMING.—Any referral of a member of the Armed Forces conducted under paragraph (1) shall be made not earlier than one year before the separation of the member from the Armed Forces.

“(c) RULE OF CONSTRUCTION.—Any identification of a member of the Armed Forces under subsection (a) or referral of such member under subsection (b) shall not be construed as a guarantee of employment of such member with the Department of Veterans Affairs.

“(d) REPORTS.—Not later than each of one year and two years after the date of the enactment of the Hire Veteran Health Heroes Act of 2021, the Secretary of Veterans Affairs shall submit to the appropriate committees of Congress a report on the program established under subsection (a).

“(e) DEFINITIONS.—In this section:

“(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ‘appropriate committees of Congress’ means—

“(A) the Committee on Armed Services and the Committee on Veterans' Affairs of the Senate; and

“(B) the Committee on Armed Services and the Committee on Veterans' Affairs of the House of Representatives.

“(2) HEALTH CARE OCCUPATION.—The term ‘health care occupation’ means an occupation for which an individual may be appointed for employment with the Department of Veterans Affairs under section 7401 of title 38, United States Code.”.